

MAR 03 2003  
U.S. PATENT & TRADEMARK OFFICE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

**Confirmation No. 2790**

Hiroshi YANAGAWA et al.

Attorney Docket 2000-1713

Serial No. 09/737,751

Group Art Unit 1652

Filed December 18, 2000

Examiner Rebecca E. Prouty

LABELED PROTEIN AND ITS PRODUCING:  
METHOD, LABELING COMPOUND TO BE  
USED IN THE METHOD, AND METHOD FOR  
ANALYZING FUNCTION OF GENES

THE COMMISSIONER IS AUTHORIZED  
TO CHARGE ANY DEFICIENCY IN THE  
FEES FOR THIS PAPER TO DEPOSIT  
ACCOUNT NO. 23-0975

**TERMINAL DISCLAIMER UNDER 37 CFR 1.321**

**RECEIVED**

Assistant Commissioner for Patents,  
Washington, DC 20231

**MAR 06 2003**

**TECH CENTER 1600/290**

Sir:

The owner, Mitsubishi Chemical Corporation, of 100% interest in the instant application, hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 USC 154 to 156 and 173, as shortened by any terminal disclaimer, of prior Patent No. 6,228,994, issued May 8, 2001. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 USC 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee; is held unenforceable; is found invalid by a court of competent jurisdiction; is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321; has all claims

cancelled by a reexamination certificate; is reissued; or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

       The undersigned is empowered to act on behalf of the organization.

X The undersigned is an attorney of record.

March 3, 2003

By: Matthew Jacob  
Matthew Jacob, Reg. No. 25,154

Terminal disclaimer fee under 37 CFR 1.20(d) is included.

MJ/gtg  
Washington, D.C. 20006-1021  
Telephone (202) 721-8200  
Facsimile (202) 721-8250